

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

ANNIE SCHLECHT,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration,

Defendant.

CASE NO. 13-cv-05352 BHS

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration (ECF No. 18).

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

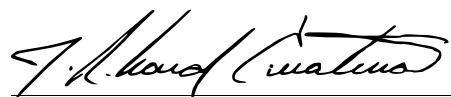
1 Based on the parties' stipulation, this Court recommends that this case be reversed and
 2 remanded for a *de novo* hearing and further administrative proceedings, including but not limited
 3 to the following:

4 The administrative law judge will evaluate further the medical source opinions, including
 5 but not limited to Owen Nelsen, Ph.D., and provide adequate rationale for either accepting or
 6 rejecting these opinions; evaluate further the opinion of Richard S. Keyser, ARNP, in accordance
 7 with 20 CFR § 416.913(d) and Social Security Ruling (SSR) 06-3p; evaluate further the nature
 8 and severity of plaintiff's mental impairment of bipolar disorder using the special technique
 9 described in 20 CFR § 416.820a; evaluate further plaintiff's residual functional capacity (20 CFR
 10 § 416.945(c) and SSRs 85-16 and 96-8p); evaluate further plaintiff's work history and determine
 11 if she has any past relevant work (20 CFR §§ 416.974, 416.965); and if warranted, proceed to
 12 step five of the sequential evaluation process, and if warranted, obtain vocational expert
 13 testimony to clarify the effects of the assessed limitations on plaintiff's occupational base (SSR
 14 83-14 and 85-15 and SSR 00-4p).

15 The parties stipulate that this remand be made pursuant to sentence four of 42 U.S.C. §
 16 405(g), and that plaintiff will be entitled to reasonable attorney's fees and costs pursuant to the
 17 Equal Access to Justice Act, 28 U.S.C. § 2412(d), following a proper request to this Court.

18 Given the facts and the parties' stipulation, the Court recommends that the District Judge
 19 immediately approve this Report and Recommendation and order the case be **REVERSED** and
 20 **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

21 Dated this 17th day of September, 2013.

22 

23 J. Richard Creatura
 24 United States Magistrate Judge